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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,205	07/17/2003	Shoichi Iino	116304	1084
25944	7590	03/08/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			LINDINGER, MICHAEL L	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,205

Applicant(s)

IINO ET AL.

Examiner

Michael L. Lindinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 6-14 are objected to because of the following informalities: in Claim 6 and Claim 11, respectively, the Applicant claims "...at least one of an analog watch and a mechanical time-watch..." The Examiner believes and is examining the claims as if the claims are written "at least one of an analog watch or a mechanical time-watch..." Throughout the Applicant's Specification, as well as throughout timekeeping technology, an analog watch and mechanical time-watch are recognized equivalents. The Examiner is treating the terms as equivalent embodiments. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

1. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the Applicant claims supplying electricity from a portable information device to a telephone. As is stated below in the 103(a) Rejection portion of the Action, the Examiner has treated the linking to a telephone in a broad sense. The Applicant is advised to better explain the limitation linking the current device to a telephone, a stand-alone telephone plugged into a wall, or a cellular telephone structure.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4 and 11 are rejected under 35 U.S.C. 102(b) as being unpatentable by Yamada U.S. Patent No. 4,985,878. Regarding Claims 1-4, Yamada teaches a flip portable information device, comprising a foldable casing 1 and an analog/mechanical (see above Claim rejections linking terminology) time-watch 4 on a side of the casing facing an exterior when the casing is closed, wherein the device further including a display 5 on a side of the casing facing an interior when the casing is closed, the mechanical time-watch being mounted on a back of the display, which faces the exterior when the casing is closed, wherein the time indication by the mechanical time-watch being made in synchronization (FIG. 28) with time indication on the display (Col. 4, lines 43+; FIG. 1-2).

Regarding Claim 11, Yamada teaches a flip portable information device, comprising: a foldable casing and at least one of an analog/mechanical time-watch on a side of the casing facing an exterior when the casing is closed, the at least one of the analog/mechanical time-watch and the portable information device having a common power source 23 (Col. 5, lines 25+; FIG. 1-2; Claim 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada U.S. Patent No. 4,985,878 in view of Pikula U.S. Patent No. 6,269,055 B1. Yamada teaches a flip portable information device, comprising a foldable casing 1 and an analog/mechanical (see above Claim rejections linking terminology) time-watch 4 on a side of the casing facing an exterior when the casing is closed, wherein the device further including a display 5 on a side of the casing facing an interior when the casing is closed, the mechanical time-watch being mounted on a back of the display, which faces the exterior when the casing is closed (Col. 4, lines 43+; FIG. 1-2). Yamada does not explicitly teach the analog/mechanical time-watch being a radio-controlled watch that automatically corrects time. Pikula teaches an analog/mechanical time-watch 10/12 being a radio-controlled watch that automatically corrects time (Col. 3, lines 5+; FIG. 1). It would have been obvious to a person skilled in the art at the time of the invention to adapt the mechanical time-watch of Yamada to include automatic correction means to correct the mechanical time-watch movement. By including radio-controlled correcting

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means, a clock may be automatically updated while crossing time zones and specific parts of the country where simple antennas cannot receive the proper signals.

2. Claim 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada U.S. Patent No. 4,985,878 in view of Yamada U.S. Patent No. 5,75,653 in further view of the Admitted Prior Art. Yamada '878 teaches a flip portable information device, comprising a foldable casing 1 and an analog/mechanical (see above Claim rejections linking terminology) time-watch 4 on a side of the casing facing an exterior when the casing is closed, wherein the device further including a display 5 on a side of the casing facing an interior when the casing is closed, the mechanical time-watch being mounted on a back of the display, which faces the exterior when the casing is closed (Col. 4, lines 43+; FIG. 1-2). Yamada '878 does not explicitly teach the analog/mechanical time-watch indicating functional information of the portable information device with hand or mechanically, in addition to time indication, wherein the device includes a dial plate that includes an area to indicate the functional information of the portable information device with hand or mechanically, separately from the time information, wherein the watch indicating the information on an incoming email or an incoming answer phone with hand or mechanically, the watch providing stepwise remaining-power indication with hand or mechanically depending on the remaining power, as well as the watch providing a stepwise receiving-sensitive indication with hand or mechanically depending on the receiving sensitivity of the communication function. Yamada '653 teaches an analog wristwatch-paging receiver comprising an

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analog indicating functional information of the device with hand 20 or mechanically, separately from the time information, wherein the device includes a dial plate 12 that includes an area to indicate the functional information of the portable information device with hand or mechanically, separately from the time information, wherein the watch indicating the information on an incoming email 22 or an incoming answer phone 22f with hand or mechanically, as well as the watch providing a stepwise receiving-sensitive indication 172 with hand or mechanically depending on the receiving sensitivity of the communication function (Col. 2, lines 33+; Col. 3, lines 1+; Col. FIG. 1, 12-14). Although Yamada '653 teaches the analog hands indicating functional information other than time, both Yamada references fail to teach a stepwise indication of remaining power. However, as stated by the Applicant flip cell phones exist in which a screen display section and an operating section are connected together by a hinge structure, thereby providing a structure that opens and closes, wherein a relatively small image display section can be provided on a surface opposite to the image display section so that information can be displayed even when the casing is closed. The small image display section principally displays remaining electric power, the condition of a radio wave, an incoming call indication, a digital watch and so on. It would have been obvious to a person skilled in the art at the time of the invention to adapt the analog/mechanical time-watch of Yamada '878 to utilize the analog hands in a manner that indicates functional information other than time information. As Yamada '653 establishes, analog hands can be utilized to display received functional information such as email reception, as well as current time information. Also, as Yamada '653 shows email, call home, call office, etc.

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designations about the dial plate, it would have also been obvious to provide an battery power indicator used in conjunction with the analog hands to display remaining power in order to alert the user of impending power termination. Analog and digital indication are recognized equivalents in the art of timekeeping and horology.

3. Claim 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada U.S. Patent No. 4,985,878 in view of Okeya U.S. Patent No. 6,424,600 B1. Yamada teaches a flip portable information device, comprising a foldable casing 1 and an analog/mechanical (see above Claim rejections linking terminology) time-watch 4 on a side of the casing facing an exterior when the casing is closed, wherein the device further including a display 5 on a side of the casing facing an interior when the casing is closed, the mechanical time-watch being mounted on a back of the display, which faces the exterior when the casing is closed (Col. 4, lines 43+; FIG. 1-2). Yamada does not explicitly teach a device further including a solar battery usable as an auxiliary power source or a self-generating device to convert rotation of an oscillating weight to electricity, wherein the electricity generated by the self-generating device being supplied to a circuit of a telephone. Okeya teaches a portable electronic device 1 that includes a self-generating device 40 to convert rotation of an oscillating weight 45 to electricity, wherein the electricity generated by the self-generating device being supplied to a circuit of a telephone (Col. 21, lines 49-56), wherein in the Prior Art of the Okeya reference, it is stated that it is established in the art that solar cells and solar energy is

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utilized to prevent a portable information device from running out of power (Col. 1, lines 12+; Col. 5, lines 45+; Col. 6, lines 1+; FIG. 3). It would have been obvious to a person skilled in the art at the time of the invention to adapt the Yamada reference to include either solar cells or self-generating means to provide additional sources of power. By providing auxiliary forms of power, the apparatus is prevented from running out of power. It is well established in the art of timekeeping and horology that backup or auxiliary power sources are used to power watches so as to prevent use termination, and therefore the limitations of a solar battery or an oscillating weight are not novel limitations to the present invention.

Prior Art

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Proellochs U.S. Patent No. 4,444,513 discloses a dual display watch comprising at least one electronic movement and a first analog display means on an exterior surface and a second digital display means on an interior surface.
- Baroche U.S. Patent No. 6,464,390 B1 discloses a multifunction wristwatch with an electronic device with a usable dial, fitted with keys, includes an electronic device to form a multifunctional wrist worn device such as a telephone.
- Magnusson U.S. Patent No. 6,580,664 B2 discloses a timepiece with a pager and global positioning system, wherein the timepiece includes a watch housing having an upper portion hingedly coupled to a lower portion.
- Okuyama U.S. Patent No. 5,262,763 discloses an electronic device with openable cases wherein there is an analog timepiece on the exterior of a top portion and another display on the interior of the openable top portion.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael L. Lindinger whose telephone number is (572) 272-2106. The examiner can normally be reached on Monday-Thursday (7:30-6).

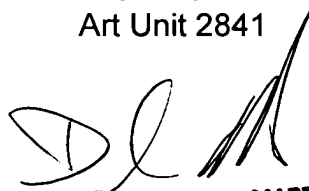
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (572) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael L. Lindinger
Examiner
Art Unit 2841

February 11, 2004
MLL



DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800